

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

DENNY R. HARDIN,)	
)	
Plaintiff,)	
)	
v.)	No. 07-0754-CV-W-DW
)	
STATE OF MISSOURI, et al.,)	
)	
Defendants.)	

ORDER

Plaintiff, Denny R. Hardin, has filed a Complaint in this action entitled "Extraordinary Writ of Certiorari" wherein he seeks relief from "the conduct of the State of Missouri to allow 'Mob Rule' in the 'Judicial System' of the State of Missouri." Plaintiff has filed various other notices, petitions, and motions in this case related to this claim. Plaintiff pursues his claim against the Defendants for violation of 18 U.S.C. § 241, which makes it a crime for two or more persons to conspire to deprive another of any constitutional right. This cannot be done as 18 U.S.C. § 241 provides no basis for a civil cause of action. Aldabe v. Aldabe, 616 F.2d 1089 (9th Cir. 1980); Dugar v. Coughlin, 613 F. Supp. 849 (S.D.N.Y. 1985). Thus, there is no federal question in this action. The Court also lacks diversity jurisdiction over this action as Plaintiff and all Defendants are citizens of Missouri.

Accordingly, because the Court lacks subject matter jurisdiction over this matter, this cause of action is hereby DISMISSED. The Clerk of the Court is directed to terminate all pending motions and mark this action as closed.

Date: February 8, 2008

/s/ Dean Whipple
Dean Whipple
United States District Judge

